

**This Page Is Inserted by IFW Operations
and is not a part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- **BLACK BORDERS**
- **TEXT CUT OFF AT TOP, BOTTOM OR SIDES**
- **FADED TEXT**
- **ILLEGIBLE TEXT**
- **SKEWED/SLANTED IMAGES**
- **COLORED PHOTOS**
- **BLACK OR VERY BLACK AND WHITE DARK PHOTOS**
- **GRAY SCALE DOCUMENTS**

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service, as first class mail postage prepaid, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on June 11, 1999.

June 11, 1999
Date

Karyn S. Hines
Karyn S. Hines

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Narendra R. DESAI et al.

Serial No.: 08/489,850

Filing Date: June 13, 1995

For: LIPOSOME COMPOSITIONS OF
PORPHYRIN PHOTSENSITIZERS

Examiner: Peter F. Kulkosky

Art Unit: 1615

**DECLARATION OF DAVID DOLPHIN
PURSUANT TO 37 C.F.R. § 1.131(a)**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

I, David Dolphin, Vice President for Technology Development at QLT PhotoTherapeutics, Inc., the assignee in the above-identified patent application and sole owner of all right, title and interest thereto, declare as follows:

1. That I am fully authorized to execute legal documents on behalf of QLT PhotoTherapeutics, Inc. in connection with intellectual property matters including those pertaining to U.S. patents and patent applications;

dc-162220

2. That based on information and belief, Quadra Logic Technologies, Inc. obtained the entire right, title and interest in the above-identified patent application from American Cyanamid Company;

3. That Quadra Logic Technologies, Inc. is now known as QLT PhotoTherapeutics, Inc.;

4. That based on information and belief, I have been provided with a photocopy of a page from an American Cyanamid Company notebook issued to co-inventor Kalidas Kale;

5. That based on information and belief, the page is witnessed by another co-inventor, Narendra Desai;

6. That the page indicates that sometime prior to August 17, 1990, liposomes containing BPD-MA were prepared by combining BPD-MA, dimyristoyl phosphatidyl choline (DMPC), and egg phosphatidyl glycerol (EPG);

7. That the liposome preparation represents actual reduction to practice of a species encompassed by the invention;

8. That based on information and belief, a declaration by all of the inventors to state points 4 through 7 above is not possible in light of the non-cooperation by co-inventor Kalidas Kale as stated in the Petition to Correct Inventorship of December 6, 1995 filed in the above-identified patent application;

9. That all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and

10. That these statements were made with the knowledge that willful false statements and the like are punishable by fine and/or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statement may jeopardize the validity of this application, any patent issuing thereon, or any patent to which this verified statement is directed.

June 10 1999
Date


David Dolphin

dc-162220

EXHIBIT A



AMERICAN CYANAMID COMPANY
PO BOX 10000
NEW YORK, NY 10001

CONFIDENTIAL

140231

WORKING
HYPOTHESIS RESEARCH

SECTION

DATE FROM

ISSUED TO

DATE, SIGN AND HAVE WITNESSED EACH DAY'S ENTRY:

99(5)

PROJECT NO. _____ DATE [REDACTED] CONTINUED FROM _____

SUBJECT Preparation of BPDMA-Liposome

BPDMA - DMPC : PG

718 : 673.95 x 5 : 772.06 x 3

20 : 93.87 : 64.52

wt. of BPDMA

0.2205

wt. of Egg DMPC

0.1048

wt. of Egg PG

0.0660 g

Dissolved in 10 ml methylene chloride.

Rotorevaporated to dryness 34°C.

- Hydrated with 20ml 5 mM phosphate buffer

- Warmed to 50°C

- Filtered through 5 micron

- Filtered through 0.45 micron.

Particle Size,

SIGNED

[Signature]

DISCLOSED TO AND
UNDERSTOOD BY ME

[Signature]

DATE

[REDACTED]

DATE

[REDACTED]

CONTINUED